

142  
April 12, 2010

United States Bankruptcy Court  
Southern District of New York

IN RE

BPH Holding Corp, et al

Reorganized Debtors.

Chapter 11  
Case No 05-44481 (R)  
(Jointly Administered)

I Sharyl Yvette Carter reside at 1541 ~~East~~ <sup>East</sup> 16<sup>th</sup> Ave  
Niagara Falls, New York, 14301. My numbers are  
(716) 282-3624 and (937) 302-8072.

Enclosed are copies of the FedEx envelope,  
and notice, documents that were mailed to me.  
I did not notice any response, reply deadline  
in the upper right hand corner, like other docu-  
ments mailed to me previously when I Sharyl  
Y. Carter have to response, reply by. I will  
object, and disagree to any, all of BPH  
Holding Corp - Reorganized Debtors and their  
affiliates debts Plans, also their objection

to my claim no 17773 and any other claim no, also in Exhibit A as enclosed. my claim, or claims should not be separate, or disallowed as the Beltes would like, and request. I think my claim no 17773 and any other claims should be allowed. All of my documents and evidence, notes, proof, the Beltes have in their files, records, books, with their attorneys who represented them previously that should have been pass on to present attorneys.

I respectfully ask the courts to allow my claim, & claims against the debtors and their affiliated debtors.

~~Stuckey~~  
Hwy 4. Enter

PRF 27163-1

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
155 North Wacker Drive  
Chicago, Illinois 60606  
(312) 407-0700  
John Wm. Butler, Jr.  
John K. Lyons  
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- and -

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(212) 735-3000  
Kayalyn A. Marafioti

Attorneys for DPH Holdings Corp., et al.,  
Reorganized Debtors

DPH Holdings Corp. Legal Information Hotline:  
Toll Free: (800) 718-5305  
International: (248) 813-2698

DPH Holdings Corp. Legal Information Website:  
<http://www.dphholdingsdocket.com>

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
In re	:	Chapter 11
	:	
DPH HOLDINGS CORP., <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
Reorganized Debtors.	:	(Jointly Administered)
	:	
-----	x	

NOTICE OF SUFFICIENCY HEARING WITH RESPECT TO DEBTORS'  
OBJECTIONS TO PROOFS OF CLAIM NUMBERS 5268, 13270, 13838, 13880, 15585,  
15589, 16925, 17081, 17773, 18049, 18087, 18604, 18740, 20017, AND 20054

FILED  
U.S. BANKRUPTCY COURT  
2010 APR 19 P 1:10  
S.D. OF N.Y.

Regarding Objections To Claims And (ii) Certain Notices And Procedures Governing Objections To Claims, entered January 25, 2010 (Docket No. 19358), a sufficiency hearing (the "Sufficiency Hearing") to address the legal sufficiency of each Proof of Claim and whether each Proof of Claim states a colorable claim against the asserted Debtor is hereby scheduled for April 22, 2010, at 10:00 a.m. (prevailing Eastern time) in the United States Bankruptcy Court for the Southern District of New York, 300 Quarropas Street, Room 118, White Plains, New York 10601-4140.

PLEASE TAKE FURTHER NOTICE that the Sufficiency Hearing will proceed in accordance with the procedures provided in the Order, unless such procedures are modified in accordance with Paragraph 9(k) thereof. Please review the Order carefully because failure to comply with the procedures provided in the Order (or as modified pursuant to Paragraph 9(k)) could result in the disallowance and expungement of your Proof of Claim. A copy of the Order is attached hereto for your convenience.

PLEASE TAKE FURTHER NOTICE that the Reorganized Debtors may further adjourn the Sufficiency Hearing at any time at least five business days prior to the scheduled hearing upon notice to the Court and the Claimant and/or Assignee, as applicable.

EXHIBIT A

A	B	C	D	E	F	G	G
Proof Of Claim Number	Date Filed	Party Filing Proof Of Claim	Owner Of Claim	Asserted Amount	Omnibus Claims Objection	Date Of Omnibus Claims Objection	Debtor Named On Proof Of Claim
5268	5/8/2006	UAW LOCAL 2083	UAW LOCAL 2083	\$3,191.00	Forty-Fourth Omnibus Claims Objection	2/3/2010	DELPHI CORPORATION
13270	7/31/2006	INTERNATIONAL UNION, UAW, AND LOCAL 155 ON BEHALF OF ITS BARGAINING UNIT MEMBERS	INTERNATIONAL UNION, UAW, AND LOCAL 155 ON BEHALF OF ITS BARGAINING UNIT MEMBERS	\$992,869.85	Forty-Fourth Omnibus Claims Objection	2/3/2010	DELPHI AUTOMOTIVE SYSTEMS LLC
13838	7/31/2006	UAW AND ITS LOCAL 286	UAW AND ITS LOCAL 286	\$0.00	Forty-Fourth Omnibus Claims Objection	2/3/2010	ASEC MANUFACTURING GENERAL PARTNERSHIP
13880	7/31/2006	INTERNATIONAL UNION UAW	INTERNATIONAL UNION UAW	\$11,000,000,000.00	Forty-Fourth Omnibus Claims Objection	2/3/2010	DELPHI CORPORATION
15585	7/31/2006	HYUNDAI MOTOR COMPANY	HYUNDAI MOTOR COMPANY	\$0.00	Thirty-Eighth Omnibus Claims Objection	11/6/2009	DELPHI CORPORATION
15589	7/31/2006	HYUNDAI MOTOR AMERICA	HYUNDAI MOTOR AMERICA	\$0.00	Thirty-Eighth Omnibus Claims Objection	11/6/2009	DELPHI CORPORATION
16925	6/29/2009	STANLEY D. SMITH	STANLEY D. SMITH	\$0.00	Thirty-Seventh Omnibus Claims Objection	10/15/2009	DELPHI CORPORATION
17081	6/30/2009	JAMES A LUECKE	JAMES A LUECKE	\$159,000.00	Thirty-Seventh Omnibus Claims Objection	10/15/2009	DELPHI CORPORATION
17773	7/7/2009	SHARYL WETTE CARTER	SHARYL WETTE CARTER	\$0.00	Forty-Fifth Omnibus Claims Objection	2/12/2010	DELPHI CORPORATION
18049	6/29/2009	JAMES A LUECKE	JAMES A LUECKE	\$159,000.00	Forty-Fifth Omnibus Claims Objection	2/12/2010	DELPHI CORPORATION
18087	7/9/2009	FRANK X. BUDELEWSKI	FRANK X. BUDELEWSKI	\$4,932.11	Thirty-Seventh Omnibus Claims Objection	10/15/2009	DELPHI CORPORATION
18604	7/14/2009	WALTER A KUNKA	WALTER A KUNKA	\$5,380.77	Thirty-Seventh Omnibus Claims Objection	10/15/2009	DELPHI CORPORATION
18740	7/10/2009	GARY L COOK	GARY L COOK	\$311,800.00	Thirty-Ninth Omnibus Claims Objection	11/6/2009	DELPHI AUTOMOTIVE SYSTEMS LLC
20017	11/5/2009	ANDREW C GREGOS	ANDREW C GREGOS	\$528,443.24	Forty-Third Omnibus Claims Objection	1/22/2010	DELPHI CORPORATION
20054	10/30/2009	ROBYN R BUDD	ROBYN R BUDD	\$23,962.50	Forty-Third Omnibus Claims Objection	1/22/2010	DELPHI CORPORATION

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Attn: John Buterle/John Lyons/Randall Rose

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or PO Box No.

333 West Wacker Dr. # 2100

City, State, ZIP+4

Chicago, Illinois 60606

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**SENDER: COMPLETE THIS SECTION**

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## 1. Article Addressed to:

Skachku, Alex State, Manager of Firm LLP  
333 West Wacker Dr. # 2100  
Attn: John Buterle/John Lyons/Randall Rose  
Chicago, Illinois 60606

## 2. Article Number

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**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

X

☐ Agent☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

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Attn: General Counsel

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or PO Box No.

5725 Belton Drive

City, State, ZIP+4

Rose, Michigan 48098

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U.S. BANKRUPTCY COURT2010 APR 19 P 1:10  
S.D. OF N.Y.

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1. Article Addressed to:

Delphi Corporation  
Attn: General Counsel  
5725 Delphi Drive  
Troy Michigan 48068

2. Article Number

(Transfer from service label)

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

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Street, Apt. No.,

or PO Box No.

City, State, ZIP+4

Four Times Square

New York, New York 10036

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1. Article Addressed to:

Skadden, Arps, Slate, Meagher & Flannery  
Attn: Kayakyn A. MacArthur  
Four Times Square  
New York, New York 10036

2. Article Number

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## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

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4. Restricted Delivery? (Extra Fee)

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United States Bankruptcy Ct Southern District

Street, Apt. No.,

or PO Box No.

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New York, New York 10004

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## 1. Article Addressed to:

Honorable Robert D. Drain  
United States Bankruptcy Ct Southern District  
One Bowling Green, Room 610  
New York, New York 10004

**COMPLETE THIS SECTION ON DELIVERY**

## A. Signature

X

☐ Agent☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

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## 4. Restricted Delivery? (Extra Fee)

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## 2. Article Number

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Alexander Custom House

Street, Apt. No.,

or PO Box No.

City, State, ZIP+4

New York, New York 10004

PS Form 3800, August 2006

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## SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

United States Bankruptcy Court  
Alexander Custom House  
One Bowling Green, Room 1605  
New York, New York, 10004

## 2. Article Number

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## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

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B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below:

☐ No

## 3. Service Type

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Hon Charles L. Bryant - District of New York

Street, Apt. No.,

300 Quarregans St - Rm 118

or PO Box No.

White Plains, New York 10601

PS Form 3800, August 2000

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## SENDER: COMPLETE THIS SECTION

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## 1. Article Addressed to:

Honorable Charles L. Bryant  
United States Bankruptcy Ct - Southern District of New York  
300 Quarregans St - Rm 118  
White Plains, New York  
10601-4146

## 2. Article Number

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## 3. Service Type

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**S.D. OF N.Y.**  
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SHIPPING DEPT  
KURTZMAN CARSON CONSULTANTS  
2335 ALASKA AVE  
UNITED STATES US

e: 14APR10  
Actg: 1.0 LB MAN  
Sustem#: 556842/CAFE2361  
Account: S 345812520

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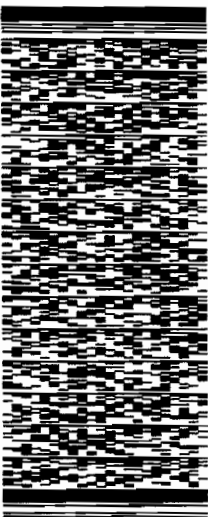
(310) 823-9000

Ref: DELPHI MM MEMPHIS 27393-1  
Dept: Delphi Corporation

**SHARYL YVETTE CARTER**  
**1541 LA SALLE AVE NO 1**  
**NIAGRA FALLS, NY 14301**



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SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
155 North Wacker Drive  
Chicago, Illinois 60606  
John Wm. Butler, Jr.  
John K. Lyons  
Albert L. Hogan III  
Ron E. Meisler

- and -

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Four Times Square  
New York, New York 10036  
Kayalyn A. Marafioti

Attorneys for DPH Holdings Corp., et al.,  
Reorganized Debtors

DPH Holdings Corp. Legal Information Hotline:  
Toll Free: (800) 718-5305  
International: (248) 813-2698

DPH Holdings Corp. Legal Information Website:  
<http://www.dphholdingsdocket.com>

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
	:	
DPH HOLDINGS CORP., <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
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	:	(Jointly Administered)
Reorganized Debtors.	:	
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NOTICE OF RESCHEDULING OF  
THIRTY-SECOND CLAIMS HEARING

PLEASE TAKE NOTICE that the Thirty-Second Claims Hearing in the above-captioned cases, which is scheduled to occur on Thursday, April 22, 2010 at 10:00 a.m. (prevailing Eastern time) at the Hon. Charles L. Bricant Jr. Federal Building and Courthouse, 300 Quarropas

Street, Courtroom 118, White Plains, New York 10601-4140,<sup>1</sup> has been rescheduled for Friday, April 23, 2010 at 10:00 a.m. (prevailing Eastern time).

PLEASE TAKE FURTHER NOTICE that all corresponding deadlines shall shift in accordance with (a) the Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (I) Dates For Hearings Regarding Objections To Claims And (II) Certain Notices And Procedures Governing Objections To Claims, entered December 7, 2006 (Docket No. 6089) or (b) the Administrative Claims Order Pursuant To 11 U.S.C. §§ 105(a) And 503(b) Authorizing Debtors To Apply Claims Objection Procedures To Address Contested Administrative Expense Claims, entered October 22, 2009 (Docket No. 18998), as applicable.

Dated: New York, New York  
April 13, 2010

SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM LLP

By: /s/ John Wm. Butler, Jr. \_\_\_\_\_

John Wm. Butler, Jr.  
John K. Lyons  
Albert L. Hogan III  
Ron E. Meisler  
155 North Wacker Drive  
Chicago, Illinois 60606

- and -

By: /s/ Kayalyn A. Marafioti \_\_\_\_\_

Kayalyn A. Marafioti  
Four Times Square  
New York, New York 10036

Attorneys for DPH Holdings Corp., et al.,  
Reorganized Debtors

---

<sup>1</sup> See Tenth Supplemental Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (I) Dates For Hearings Regarding Objections To Claims And (II) Certain Notices And Procedures Governing Objections To Claims, entered January 25, 2010 (Docket No. 19358).



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*The World*

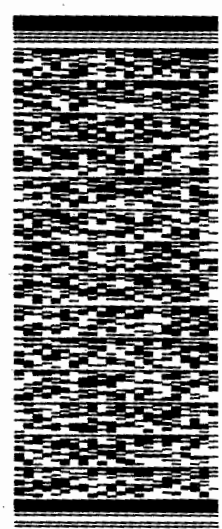
Envelope

Alignment of FedEx Express® Shipping  
ORIGIN ID: OLVA  
SHIPPING DEPT  
KURTZMAN CARSON CONSULTANTS  
2335 ALASKA AVE  
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UNITED STATES US

Account: 53458125  
System#: 558642/CA  
Actlg#: 1.0 LB MAN

SHARLY YVETTE CARTER  
1541 LA SALLE AVE NO 1  
NIAGRA FALLS, NY 14301

Ref: DELPHI MM MEMPHIS 27887-6  
Dept: Delphi Corporation



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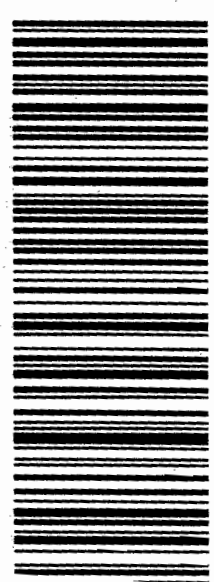
TRK# 4468 4674 9533

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14301 - NY - US

XX DKK

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822/10/10

PRF 27887-4

Hearing Date and Time: April 23, 2010 at 10:00 a.m. (prevailing Eastern time)  
Supplemental Response Date and Time: April 21, 2010 at 4:00 p.m. (prevailing Eastern time)

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
155 North Wacker Drive  
Chicago, Illinois 60606  
John Wm. Butler, Jr.  
John K. Lyons  
Ron E. Meisler

- and -

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
Four Times Square  
New York, New York 10036  
Kayalyn A. Marafioti

Attorneys for DPH Holdings Corp., et al.,  
Reorganized Debtors

DPH Holdings Corp. Legal Information Hotline:  
Toll Free: (800) 718-5305  
International: (248) 813-2698

DPH Holdings Corp. Legal Information Website:  
<http://www.dphholdingsdocket.com>

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11
	:	
DPH HOLDINGS CORP., <u>et al.</u> ,	:	Case Number 05-44481 (RDD)
	:	
	:	(Jointly Administered)
Reorganized Debtors.	:	
	:	
-----	X	

REORGANIZED DEBTORS' SUPPLEMENTAL REPLY TO RESPONSE OF  
CLAIMANT TO DEBTORS' OBJECTION TO ADMINISTRATIVE EXPENSE  
CLAIM NUMBERS 17094 AND 17773 FILED BY SHARYL Y. CARTER

("SUPPLEMENTAL REPLY REGARDING CERTAIN  
CLAIMS OF SHARYL Y. CARTER")

making distributions (if any) with respect to all Claims and Interests ...." Modified Plan, art. 9.6(a).

5. By the Sufficiency Hearing Notice and pursuant to the Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (i) Dates For Hearings Regarding Objections To Claims And (ii) Certain Notices And Procedures Governing Objections To Claims, entered December 7, 2006 (Docket No. 6089) (the "Claims Objection Procedures Order"), the Order Pursuant To 11 U.S.C. §§ 105(A) And 503(B) Authorizing Debtors To Apply Claims Objection Procedures To Address Contested Administrative Expense Claims, entered October 22, 2009 (Docket No. 18998), and the Eleventh Supplemental Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (i) Dates For Hearings Regarding Objections To Claims And (ii) Certain Notices And Procedures Governing Objections To Claims, entered April 5, 2010 (Docket No. 19776), the Reorganized Debtors scheduled a hearing (the "Sufficiency Hearing") on April 23, 2010<sup>1</sup> at 10:00 a.m. (prevailing Eastern time) in this Court to address the legal sufficiency of each proof of claim or administrative expense claim filed by the claimants listed on Exhibit A to the Sufficiency Hearing Notice and whether each such proof of claim states a colorable claim against the asserted Debtor.

6. This Supplemental Reply is filed pursuant to paragraph 9(b)(i) of the Claims Objection Procedures Order. Pursuant to paragraph 9(b)(ii) of the Claims Objection Procedures Order, if a Claimant wishes to file a supplemental pleading in response to this

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<sup>1</sup> Pursuant to the Sufficiency Hearing Notice, filed March 25, 2010, the Sufficiency Hearing was scheduled for April 22, 2010. Pursuant to direction of this Court, the Sufficiency Hearing was rescheduled for April 23, 2010 at 10:00 a.m. (prevailing Eastern time).

11. The Reorganized Debtors' Objection To The Claims. On February 12, 2010, the Reorganized Debtors objected to the Claims on the Reorganized Debtors' Forty-Fifth Omnibus Objection Pursuant To 11 U.S.C. § 503(b) And Fed. R. Bankr. P. 3007 To (I) Expunge Certain Administrative Expense (A) Severance Claims, (B) Books And Records Claims, (C) Duplicate Claims, (D) Pension And Benefit Claims, And (E) Transferred Workers' Compensation Claims, (II) Modify And Allow Certain Administrative Expense Severance Claims, And (III) Allow Certain Administrative Expense Severance Claims (Docket No. 19423) (the "Forty-Fifth Omnibus Claims Objection"), by which the Reorganized Debtors objected to that the Claims on the grounds that such claims are not reflected on the Reorganized Debtors' books and records.

12. Response To The Debtors' Objection. On March 4, 2010, Ms. Carter filed a response to the Forty-Fifth Omnibus Claims Objection (Docket No. 19599), in which she objects to "All the Debtors and their affiliates, Debtors Plans, and their objection to all my claims."

13. The Sufficiency Hearing Notice. Pursuant to the Claims Objection Procedures Order, the hearing on the Debtors' objection to the Claims were adjourned to a future date. On March 25, 2010, the Reorganized Debtors filed the Sufficiency Hearing Notice with respect to administrative expense claim number 17773, among other proofs of claim and administrative expense claims, scheduling the Sufficiency Hearing.<sup>3</sup>

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<sup>3</sup> As previously discussed, although administrative expense claim number 17094 was not listed on the Sufficiency Hearing Notice, for the sake of judicial efficiency, the Reorganized Debtors also seek to disallow and expunge administrative expense claim number 17094, which asserts the exact claim asserted in administrative expense claim number 17773.



Cos. Fin. Corp., 267 B.R. 524, 527 (Bankr. D. Del. 2000) (claimant must allege facts sufficient to support legal basis for its claim to have claim make prima facie case).

16. For purposes of sufficiency, this Court has determined that the standard of whether a claimant has met its initial burden of proof to establish a claim should be similar to the standard employed by courts in deciding a motion to dismiss under Bankruptcy Rules 7012 and 9014. See Transcript of January 12, 2007 Hearing (Docket No. 7118) (the "January 12, 2007 Transcript") at 52:24-53:1. Pursuant to that standard, a motion to dismiss should be granted "if it plainly appears that the nonmovant 'can prove no set of facts in support of his claim which would entitle him to relief.'" In re Lopes, 339 B.R. 82, 86 (Bankr. S.D.N.Y. 2006) (quoting Conley v. Gibson, 355 U.S. 41, 45-46 (1957)). Essentially, the claimant must provide facts that sufficiently support a legal liability against the Debtors.

17. This Court further established that the sufficiency hearing standard is consistent with Bankruptcy Rule 3001(f), which states that "a proof of claim executed and filed in accordance with these Rules shall constitute prima facie evidence of the validity and amount of the claim." Fed. R. Bankr. P. 3001(f) (emphasis added). Likewise, Bankruptcy Rule 3001(a) requires that "the proof of claim must be consistent with the official form" and Bankruptcy Rule 3001(c) requires "evidence of a writing if the claim is based on a writing." Fed. R. Bankr. P. 3001(a), (c). See January 12, 2007 Transcript at 52:17-22.

18. Disallowance Of The Expunged Claims On The Merits. On June 22, 2009, the Debtors filed the Debtors' Thirty-Fourth Omnibus Objection Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 3007 To (I) Expunge (A) Certain Pension And OPEB Claims, (B) Certain Individual Workers' Compensation Claims, (C) Certain Duplicate And/Or Amended Individual Workers' Compensation Claims, (D) Certain Untimely Individual Workers' Compensation

21. On January 25, 2010, this Court, after requesting additional briefing by the Reorganized Debtors,<sup>5</sup> entered the Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 3007 Disallowing And Expunging Proof of Claim Number 16850 Filed by Sharyl Yvette Carter Identified In The Thirty-Fourth Omnibus Claims Objection ("Claim Objection Order Expunging Sharyl Carter's Proof of Claim No. 16850") (Docket No. 19359), by which proof of claim number 16850 was expunged. In its ruling, this Court sifted through all of Ms. Carter's submissions<sup>6</sup> and the rulings of the United States District Court for the Southern District of Ohio (the "District Court").<sup>7</sup> This Court determined that Ms. Carter did not state a legally sufficient claim against the Debtors. In the Claims, Ms. Carter raises the very same issues that have already been adjudicated by this Court in the Court's January 25, 2010 ruling.

22. Accordingly, the Reorganized Debtors respectfully submit that (a) Sharyl Y. Carter has not met her burden of proof to establish a claim against the Debtors, (b) administrative expense claim numbers 17094 and 17773 are not entitled to a presumption of prima facie validity pursuant to Bankruptcy Rule 3001(f), and (c) administrative expense claim numbers 17094 and 17773 fail to state a claim against the Reorganized Debtors under

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<sup>5</sup> See the Reorganized Debtors' Second Supplemental Reply To Response Of Sharyl Y. Carter To Debtors' Objection To Proof Of Claim Number 16850 Filed By Sharyl Y. Carter (Docket No. 19303).

<sup>6</sup> See Docket Nos. 17951, 17323, 14678, 14339, 14608, 13666, 13491, 9352, 9351, and 18457.

<sup>7</sup> On August 15, 2002, Ms. Carter filed a charge of discrimination with the United States Equal Employment Opportunity Commission (the "EEOC"), claiming that Delphi discriminated against her on the basis of her race and that it retaliated against her in violation of Title VII of the Civil Rights Act. Ms. Carter later asked to withdraw her charge, and on March 11, 2003, the EEOC issued to her a Notice of Right to Sue. On June 6, 2003, Ms. Carter filed a complaint against DAS LLC with the District Court, alleging that DAS LLC discriminated against her on the basis of her race, sex, disability, and age, and also seeking damages under an intentional tort theory for her alleged workplace injury. Sharyl Y. Carter v. Delphi Automotive Systems LLC, et al., Case No. C3-CV-205 (S.D. Ohio) (the "District Court Action"). After full discovery, DAS LLC moved for summary judgment and on March 28, 2005, the District Court issued an opinion and judgment granting DAS LLC's summary judgment motion in its entirety (District Court Action, Docket No. 56). On April 24, 2005, Ms. Carter filed a notice of appeal with the United States Court of Appeals for the Sixth Circuit (District Court Action, Docket No. 58).

April 14, 2010 1 of 10

United States Bankruptcy Court  
Southern District of New York

In re

BPH Holding Corp, et al.

Reorganized Debtors

Chapter 11

Case No# 05-44481 (Rdd)  
(Jointly Administered)

Supplemental Reply, Response Regarding  
Certain Claims Nos 17094, and 17723

I Sharyl Yvette Carter reside at 1541  
LaSalle Ave #1, Niagara Falls, New York  
14301. My numbers are (716) 282-3624  
and (237) 302-8072.

Enclosed are copies of the FedEx envelope,  
and paper work that was mailed me to,  
Sharyl Y. Carter on April 14, 2010 by the  
Debtors Consultants, (KCC) Kuetzman

Carson Consultants, 2335 Alaska Ave, #1  
Segundo, CA 90245. At the above right  
corner is the Hearing Date and Time of  
April 23, 2010 at 10:00 am, and Supplemental  
Response Date and Time: April 21, 2010 at  
4:00 pm.

I Sheryl Y. Carter object, and disagree to  
the Debtors and their affiliated parties of my  
claims nos 17094 and 17773. I ask the  
Courts to allow all my claims against the  
Debtors and their affiliated Debtors.

As the Debtors states that they the Reorganized  
Debtors shall retain responsibility for ad-  
ministering, disputing, objecting to compromising  
or otherwise resolving all claims against,  
and interests in, the Debtors making

distributions with respect to all Claims and Interests. Therefore all my Claims should be respectfully allowed by the Courts.

The Debtors continue to state that certain administrative expense Claims were not reflected on the reorganized Debtors books and records. Show who's books and records

are my share if other Claims are on, also how did we get to this point if all or some of my Claims are not true? I

continue to ask the Courts to have the Debtors and their affiliated Debtors produce, give up all records, books,

notes, guidance, evidence, information that the Debtors have on me. My Claims should not be disallowed and expunge as the Debtors requesting. Also if my

2/15/2010 4/10

Claims continue to be the same claims as previously, stated by the Debtors. Who's fault is that, who do that Responsibility Relies on? As I previously stated and gave my responses, reply to all the Debtors and their affiliated Debtors on all my claims I have against the Debtors. Even to several different Courts, Claims MD's, the Debtors Attorneys to have this matter corrected. Would this be or rely on the Debtors fault for all the delays, continue Hearing adjournments etc that the Debtors and their affiliated Request from the Courts.

Continue, and place an amount of \$50 million for each of my claims, also

for interests. That does not mean that my claims no's against the Debtors are the same duplicate claims. As stated by the Debtors that the administrative expense claim number 17094 was not listed on the Sufficiency Hearing Notice, for the sake of judicial efficiency. I ask again whose fault is that, and my claims or claim should not be disallowed or expunged for someone else's mistakes.

The Debtors stated I have no merits and facts that supported my Stay/Chapter 12 other two claims nos 16849 and 16850. When all the facts, merits, proof was given to the Debtors and their affiliated Debtors and previously attorneys, my, and the Debtors

Case 10-05448-10 B/D

Attorneys. I believe since I already gave all information, evidence, notes, references, to support all my claims against the Debtors, my claims should be allowed. How many times do the Debtors need the same information, and other information that is in their books, and records as well.

When, if the courts allow all my claims against the Debtors and their affiliated Debtors, I should if needed should be granted a right to payments. I respectfully ask the courts to allow all my claims, and to not sustain them.

If the amount that I requested for my claims against the Debtors are too high for the Debtors, that do not



mean that they are the same claims, I would then ask the courts to decide truthfully an high in the millions amounts to be allow for payment to me, Sharyl Y Carter for all that I have been and continue to go through with the Debtors and their affiliated Debtors.

As stated by the Debtors, when I stated I was told for year by the Debtors that I Sharyl Y Carter did not have any claims against the Debtors and their affiliated Debtors, and did not timely file my claims The Debtors stated nothing in my Yms Carter Response provided any rational explanation, documentation, evidence, or support for any

any of the claims asserted in the Expanded Claims. Why would I make that up? That was told me to several times, and to my previously attorneys Mr. Benson, Mr. Katchmer, also by the Debtor's attorney when I called their office for information. That was to delay, distract me from filing the proof of claims against the Debtors, and any other reasons.

With all the books now listed in the enclosed copies, and my Sheryl Y Carter claims now against the Debtors in previously, past courts until present and continue on. I respectfully ask the courts to allow all my claims against the Debtors and their affiliated Debtors after my previously attorneys misled,

and misguided, misrepresentation, other tactics  
and also from the Debtors and their  
affiliated Debtors. I'm handling this Progs  
the best I should if Carter can handle  
my claims against the Debtors. If I do  
not provide facts of law to support my  
claims, that's because I am not a  
legal lawyer, Attorney who can just  
mention, or state other cases that  
would support the same case as my  
case against the Debtors. I am doing the  
best I can do, I think that is good  
going against the Debtors and their  
affiliated Debtors to have last this  
long, when the Debtors have massive

Amounts of Attorneys who can mention  
their cases comparing to my claims against  
the Debtors. My share of Carter was  
17094 and 17773 should be allowed  
I ask respectful by the Courts.

Sincerely  
Doug J. Carter

Express

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ORIGIN ID: OLVA (310) 823-9000  
SHIPPING DEPT  
KURTZMAN CARSON CONSULTANTS  
2335 ALASKA AVE  
EL SEGUNDO, CA 90245  
UNITED STATES US

SHARYL YVETTE CARTER  
1541 LA SALLE AVE NO 1

NIAGRA FALLS, NY 14301

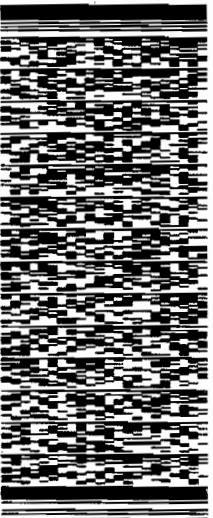
Ref: DELPHI JCP MEMPHIS 27163-1  
Dept: Delphi Corporation

Ship Date: 29MAR10  
ActWgt: 1.0 LB TAN  
System#: 0196151/CAFEC2361  
Account: S 345812520

(310) 823-9000  
**FedEx**  
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April 12, 2010

United States Bankruptcy Court  
Southern District of New York

In re  
Delphi Corporation, et al.

Rebates

Chapter 11  
Case No 05-44481 (K.  
(Jointly Administered)

I Sharyl Zvette Carter reside at 1541 Laballe  
Ave #1, Niagara Falls, New York 14301. My numbers  
are (716) 282-3624 and (37) 302-8072

Enclosed are copies of the envelope, documents that  
were mailed to me by the Rebates Consultants (KCC)  
Kurtzman Carson Consultants, 2335 Alhambra Ave,  
El Segundo, CA 90245.

I object, and disagree with the Delphi Corp,  
and their affiliated Rebates on all, and plans  
they have with case 10 05-44481 (RBB) and  
on any and all of my claims that I have  
against the Rebates.

I Sharyl Z. Carter respectfully, respectfully  
ask the courts to allow all my claims

Against the Debtors and their affiliated Debtors  
My claims were timely filed with the courts,  
where the Debtors allowed me Sharyl J. Carter to  
do so. Throughout this Chapter 11 case no 05-4481,  
the Debtors have not always mailed documents,  
information to me in a timely manner, some were  
after the fact, date of deadlines, court dates,  
responses, reply. As the Debtors stated this order  
any other order, plan motions, etc are in the  
best interest of the Debtors and their affiliated  
The amount of my claims, and claim are the  
same amount of \$50 million. Unless order by the  
courts of a lesser amount, but continue to be in  
the millions each claim, or claims As I Sharyl J.  
Carter continue to mention, there is no price  
high enough on what I have been through  
and continue to go through with this company.  
It is all in the notes, grievances, books, and  
records, with the courts that's involve and  
the Debtors and their affiliated Debtors

Attorneys, past, and present, also listed in my responses, reply, etc. My claims, or claim should not be disallowed, or expunge as the Debtors request they should be allowed by the courts, I ask. The Debtors stated they may send notices to each Claimant when they deem it appropriate to do so, subject to the Requirements of the Bankruptcy Code, Rules. If that is the case all claims should be allowed into the courts as timely filed. The Debtors and their affiliated Debtors continue to adjourn hearing schedules, dates, etc. My question is why the Claimants have to continue to respond, reply, repeatedly for the same Plan, Objections, Motions etc. This is not fair to me, Claimants who is Unemployed and have a family to support, when the Debtors and affiliated Debtors are responsible for all this, and claims in all courts. I



Respectfully, and continue to ask the courts to allow all my claims against the debtors and their affiliated debtors. Another question, what happen when a claimant can not answer their responses, reply, motion, etc. anonymously, due to money problems, health problems? Especially when I shared if Carter have been responding replying for years while this case no 05-44481 been in the courts - United States Bankruptcy Court. This would be unfair to me, claimants, but in the best interest of the debtors.

I have no problems with trying to settle these, all my claims against the debtors and their affiliated debtors, when settle I ask the courts to have the debtors show proof of payments, and any amount that was already paid out to someone, as stated in previously responses, reply.

by the Debtors.

I Sharyl Y. Carter have no problems with a telephonic meeting on the phone, or mediations, especially if I can, due to medical problems, etc. As I continue to respond, and reply to the Debtors and their affiliates Debtors, I ask the courts again respectfully to allow all my claims against the Debtors, it and when I allowed payment, the payments should be directly to me, not the Debtors and their affiliated Debtors.

Again the Debtors have all information, documents, notes, evidence and grievance books, and records to support my claims.

Sincerely  
Sharyl Y. Carter

PRF 27163-2

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re : Chapter 11  
DELPHI CORPORATION, et al., : Case No. 05-44481 (RDD)  
Debtors. : (Jointly Administered)  
-----X

ORDER PURSUANT TO 11 U.S.C. § 502(b) AND FED. R. BANKR. P. 2002(m),  
3007, 7016, 7026, 9006, 9007, AND 9014 ESTABLISHING (I) DATES FOR  
HEARINGS REGARDING OBJECTIONS TO CLAIMS AND (II) CERTAIN  
NOTICES AND PROCEDURES GOVERNING OBJECTIONS TO CLAIMS

**("CLAIM OBJECTION PROCEDURES ORDER")**

Upon the Motion For Order Pursuant To 11 U.S.C. §§ 502(b) And 502(c) And  
Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (i) Dates For  
Hearings Regarding Disallowance Or Estimation Of Claims And (ii) Certain Notices And  
Procedures Governing Hearings Regarding Disallowance Or Estimation Of Claims, dated  
October 31, 2006 ~~(the "Motion")~~, of Delphi Corporation and certain of its subsidiaries and  
affiliates, debtors and debtors-in-possession in the above-captioned cases (collectively, the  
~~"Debtors"~~); and upon the objections to the Motion and the record of the hearing held on the  
Motion; and after due deliberation thereon; and good and sufficient cause appearing therefor,

March 21, 2007 at 10:00 a.m. (prevailing Eastern time)

April 5, 2007 at 10:00 a.m. (prevailing Eastern time)

April 27, 2007 at 10:00 a.m. (prevailing Eastern time)

May 10, 2007 at 10:00 a.m. (prevailing Eastern time)

May 24, 2007 at 10:00 a.m. (prevailing Eastern time)

June 1, 2007 at 10:00 a.m. (prevailing Eastern time)

June 14, 2007 at 10:00 a.m. (prevailing Eastern time)

June 22, 2007 at 10:00 a.m. (prevailing Eastern time)

July 12, 2007 at 10:00 a.m. (prevailing Eastern time)

July 20, 2007 at 10:00 a.m. (prevailing Eastern time)

August 2, 2007 at 10:00 a.m. (prevailing Eastern time)

August 17, 2007 at 10:00 a.m. (prevailing Eastern time)

August 30, 2007 at 10:00 a.m. (prevailing Eastern time)

September 28, 2007 at 10:00 a.m. (prevailing Eastern time)

October 11, 2007 at 10:00 a.m. (prevailing Eastern time)

October 26, 2007 at 10:00 a.m. (prevailing Eastern time)

November 8, 2007 at 10:00 a.m. (prevailing Eastern time)

November 30, 2007 at 10:00 a.m. (prevailing Eastern time)

December 6, 2007 at 10:00 a.m. (prevailing Eastern time)

2. Any response to a claims objection or an omnibus claims objection (a

**"Response")** must (a) be in writing, (b) conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules for the Southern District of New York, and the Amended Eighth Supplemental Order Under 11 U.S.C. §§ 102(1) And 105 And Fed. R. Bankr. P. 2002(m), 9006,

confidential, proprietary, or otherwise protected and upon which the Claimant intends to rely in support of its Claim, subject to appropriate confidentiality constraints;

(c) to the extent that the claim is contingent or fully or partially unliquidated, the amount that the Claimant believes would be the allowable amount of such claim upon liquidation of the claim or occurrence of the contingency, as appropriate; and

(d) the address(es) to which the Debtors must return any reply to the Response, if different from the address(es) presented in the claim.

4. Only those Responses made in writing and timely filed and received will be considered by the Court. If a Claimant whose proof of claim is subject to a claims objection and who is served with the relevant claims objection fails to file and serve a timely Response in compliance with the foregoing procedures, the Debtors may present to the Court an appropriate order seeking relief with respect to such claim consistent with the relief sought in the relevant claims objection without further notice to the claimant, provided that, upon entry of such an order, the claimant shall receive notice of the entry of such order as provided below; provided, however, that if the claimant files a timely Response, which does not include the required minimum information provided in paragraph 3 above, the Debtors shall seek disallowance and expungement of the relevant claim or claims only in accordance with the Claims Hearing Procedures provided in paragraph 9 below.

5. To the extent that a Response is filed with respect to any claim listed in a claims objection (each, a "~~Contested Claim~~"), each such Claim and the objection to such Claim asserted in the claims objection shall be deemed to constitute a separate contested matter as contemplated by Bankruptcy Rule 9014.

6. The Debtors are hereby authorized and directed to serve each Claimant whose proof of claim is listed in any omnibus claims objection with (a) a personalized Notice Of Objection To Claim which specifically identifies the Claimant's proof of claim that is subject to objection and the basis for such objection and (b) a complete copy of the relevant omnibus

The Debtors shall schedule the further hearing upon each Contested Claim to a Claims Hearing of the Debtors' election:

(A) for a non-evidentiary hearing to address the legal sufficiency of the particular proof of claim and whether the proof of claim states a claim against the asserted Debtor under Bankruptcy Rule 7012 (a "Sufficiency Hearing"), by serving upon the relevant Claimant by facsimile or overnight delivery, and filing with this Court, a notice substantially in the form attached hereto as Exhibit B (a "Notice Of Sufficiency Hearing") and a copy of this Order at least 20 business days prior to the date of such Sufficiency Hearing, or

(B) for an evidentiary hearing on the merits of such Contested Claim (a "Claims Objection Hearing"), by serving upon the relevant Claimant by facsimile or overnight delivery, and filing with this Court, a notice substantially in the form attached hereto as Exhibit C (a "Notice Of Claims Objection Hearing" and collectively with the Notice of Sufficiency Hearing, the "Notices of Hearing") and a copy of this Order at least 65 calendar days prior to the date of such Claims Objection Hearing.

(ii) The Debtors, in their sole discretion, are authorized to further adjourn a hearing scheduled in accordance herewith at any time by providing notice to the Court and the Claimant at least five business days prior to the date of the scheduled hearing; provided, however, that the hearing on any Contested Claim shall not be adjourned for more than a total of 180 calendar days from date of service of the initial Notice of Hearing set forth in paragraph 9(a)(i)(A) and (B) above without consent of the Claimant with respect thereto, unless otherwise ordered by the Court.

(b) Sufficiency Hearing Procedures.

(i) To the extent that a Contested Claim is adjourned to a Sufficiency Hearing, if the Debtors wish to file a supplemental pleading, they shall file and serve their pleading no later than ten calendar days before the scheduled Sufficiency Hearing. The supplemental pleading shall not exceed fifteen single-sided, double-spaced pages.

(ii) To the extent that a Contested Claim is adjourned to a Sufficiency Hearing, if the Claimant wishes to file a supplemental response, the Claimant shall file and serve its response no later than two business days before the scheduled Sufficiency Hearing. The supplemental response shall not exceed fifteen single-sided, double-spaced pages.

(iii) To the extent that this Court determines upon conclusion of the Sufficiency Hearing that a Contested Claim cannot be disallowed in whole or in part without further proceedings, the Debtors shall provide to the Claimant a Notice Of Claims Objection Hearing pursuant to the procedures set forth above.

(c) Mandatory Meet And Confer.

(i) If (A) (1) the amount in dispute for a Contested Claim exceeds \$1,000,000 or (2) a Contested Claim asserts unliquidated claims (unless the Claimant irrevocably agrees in writing that the allowed amount of such Contested Claim shall be limited to a maximum of \$1,000,000), (B) the Claimant (if an individual) or the Claimant's principal place of

provide copies of all documents that the Debtors believe to be confidential, proprietary, or otherwise protected, subject to appropriate confidentiality constraints.

(e) Claimant's Supplemental Response. The following procedures apply to the Claimant's written supplemental response (~~the "Supplemental Response"~~), subject to modification pursuant to paragraph 9(k), filed in connection with a Claims Objection Hearing for a Contested Claim:

(i) The Claimant may file and serve its Supplemental Response (with a copy to chambers) no later than 30 business days prior to commencement of the Claims Objection Hearing. The Supplemental Response shall not exceed 20 single-sided, double-spaced pages (exclusive of exhibits or affidavits).

(ii) If the Claimant relies on exhibits, the Claimant shall include such exhibits in its Supplemental Response (other than those previously included with either its Proof of Claim or its Response); provided, however, that the Claimant need not disclose confidential, proprietary, or otherwise protected information in the Supplemental Response; provided further, however, that the Claimant shall disclose to the Debtors all information and provide copies of all documents that the Claimant believes to be confidential, proprietary, or otherwise protected and upon which the Claimant intends to rely in support of its Contested Claim, subject to appropriate confidentiality constraints. The Claimant shall include a certificate of counsel or a declaration or affidavit authenticating any documents attached to the Supplemental Response, as appropriate.

(iii) The Supplemental Response may include affidavits or declarations from no more than two witnesses setting forth the basis of the Contested Claim and evidence supporting the Contested Claim; provided, however, that if the Claimant intends to call a person not under such Claimant's control at the hearing, the Claimant shall, in lieu of an affidavit or declaration of such person, identify such person, the Claimant's basis for calling such person as a witness, and the reason that it did not file an affidavit or declaration of such person. If an affiant or declarant does not attend the Claims Objection Hearing, such affiant or declarant's affidavit or declaration shall be stricken. The Claimant shall not be permitted to elicit any direct testimony at the Claims Objection Hearing; instead, the affidavit or declaration submitted with the Supplemental Response, or such witnesses' deposition transcript if the witnesses were not under the Claimant's control, shall serve as the witnesses' direct testimony and the Debtors may cross examine the witnesses at the Claims Objection Hearing, or counter-designate deposition testimony. No other or additional witnesses may introduce evidence at the hearing on behalf of the Claimant.

(iv) No later than three business days prior to commencement of the Claims Objection Hearing, if the Claimant timely filed a Supplemental Response, the Claimant may file and serve (with a copy to chambers) an amended Supplemental Response and a supplemental affidavit or declaration on behalf of each of its witnesses solely for the purpose of supplementing the Supplemental Response and the witnesses' prior affidavits or declarations with respect to matters adduced through the discovery provided by these Claims Hearing Procedures; provided that the amended Supplemental Response shall be subject to the page limitations set forth above.

"Mediation") in an effort to consensually resolve the Contested Claim. The Mediation shall be governed by General Order M-143 except as follows. The following procedures shall apply to each Mediation, subject to modification pursuant to paragraph 9(k) below:

(i) Each Mediation shall be assigned to one of the mediators listed by the Debtors on Exhibit D hereto (each, a "Mediator"). The Debtors and the Claimant shall agree upon the Mediator at the Meet and Confer; provided that, if the Debtors and the Claimant are unable to agree upon a Mediator, the parties shall promptly report such inability to agree to the Court.

(ii) The Mediator shall not have the authority to require either the Debtors or the Claimant to provide any additional briefing with respect to the Mediation.

(iii) If (A) (1) the amount in dispute for a Contested Claim exceeds \$1,000,000 or (2) a Contested Claim asserts unliquidated claims (unless the Claimant with respect thereto irrevocably agrees in writing that the allowed amount of such Contested Claim shall be limited to a maximum of \$1,000,000) and (B) the Claimant (if an individual) or the Claimant's principal place of business (if a governmental unit or a person, as defined in section 101(41) of the Bankruptcy Code, other than an individual) is located within 90 miles of Troy, Michigan, the Mediation shall be held at a neutral location in Troy, Michigan.

(iv) If (A) (1) the amount in dispute for a Contested Claim exceeds \$1,000,000 or (2) a Contested Claim asserts unliquidated claims (unless the Claimant with respect thereto irrevocably agrees in writing that the allowed amount of such Contested Claim shall be limited to a maximum of \$1,000,000), and (B) the Claimant (if an individual) or the Claimant's principal place of business (if a governmental unit or a person, as defined in section 101(41) of the Bankruptcy Code, other than an individual) is located more than 90 miles from Troy, Michigan, the Mediation shall be held at a neutral location reasonably acceptable to the Debtors and the Claimant; provided that, if the Debtors and the Claimant are unable to agree upon a neutral location at the Meet and Confer, the parties shall promptly report such inability to agree to the Court.

(v) If (A) the amount in dispute for a Contested Claim is less than or equal to \$1,000,000 or (B) the Contested Claim asserts unliquidated claims and the Claimant with respect thereto irrevocably agrees in writing that the allowed amount of such Contested Claim shall be limited to a maximum of \$1,000,000, participation in Mediation shall be voluntary and any Mediation may be held telephonically at either the Debtors' or the Claimant's request.

(vi) A person possessing ultimate authority to reconcile, settle, or otherwise resolve the Contested Claim on behalf of each of the Debtors and the Claimant shall attend an in-person Mediation or participate in a telephonic Mediation, if any; provided, however, that the Debtors' counsel will not be precluded from attending and participating in a Mediation in the event that the claimant elects not to have its counsel attend or participate in a Mediation.

(vii) Absent consent of each of the Claimant and the Debtors, the length of the Mediation shall be limited to one day.



(iv) No earlier than fifteen business days prior to the commencement of the Claims Objection Hearing, but at least five business days prior to commencement of the Claims Objection Hearing, the Claimant may, at its election, take the deposition upon oral examination of each witness whose affidavit or declaration was proffered in support of the Debtors' Supplemental Reply. Each deposition shall not exceed three hours.

(v) Except as provided in paragraph 9(g)(vi) above, nothing in this Order alters any obligation of opposing counsel with regard to communications with non-counsel opponents or any applicable law regarding corporations or other business entities to be represented by counsel.

(i) Conduct Of The Claims Objection Hearing. The Debtors and the Claimant shall each be permitted, subject to modification pursuant to paragraph 9(k) below, no more than one hour to present their respective cases, inclusive of time cross-examining their opponent's witnesses and making argument to the Court. The parties shall coordinate with each other in advance of the hearing with respect to, joint exhibit binders, stipulated admission of evidence, anticipated disputes regarding the admission of particular evidence and any designated deposition testimony.

(j) Estimation Based Upon Claimant's Asserted Estimated Amount. To the extent that a Contested Claim would be subject to estimation pursuant to section 502(c) of the Bankruptcy Code and the Debtors have sought authority to estimate such Contested Claim pursuant to an omnibus claims objection and/or a motion to estimate claims, if the Claimant has filed a Response in accordance with the procedures outlined above which (i) acknowledges that the Contested Claim is contingent or fully or partially unliquidated and (ii) provides the amount that the Claimant believes would be the allowable amount of such Contested Claim upon liquidation of the Contested Claim or occurrence of the contingency, as appropriate ~~(the "Claimant's Asserted Estimated Amount")~~, the Debtors are hereby authorized, in their sole discretion, to elect to provisionally accept the Claimant's Asserted Estimated Amount as the estimated amount of such Contested Claim pursuant to section 502(c) of the Bankruptcy Code for all purposes other than allowance, but including voting and establishing reserves for purposes of distribution, subject to further objection and reduction as appropriate and section 502(j) of the Bankruptcy Code. The Debtors' election shall be made by serving the Claimant with a Notice Of Election To Accept Claimant's Asserted Estimated Amount in the form attached hereto as Exhibit E. The Contested Claim will otherwise remain subject in all respects to the procedures outlined herein.

(k) Ability To Modify Procedures By Agreement Or Order Of Court. At the Meet and Confer, the parties shall discuss discovery parameters, briefing, evidence to be presented, the timing outlined herein, and any modifications thereto that are necessary due to the facts and circumstances of the relevant Contested Claim. Should the parties be unable to agree on reasonable modifications to these Claim Hearing Procedures, if any, either party may request that the Court promptly schedule a teleconference to consider such proposed modifications. No discovery, testimony, or motion practice other than that described herein, as modified, shall be permitted, unless otherwise agreed by the parties or ordered by the Court.

to occur: (a) the Debtors assume the lease between Delphi Automotive Systems LLC and Orix Warren with respect to property located at 4551 Research Parkway in Warren, Ohio (the "Orix Lease"), (b) the Debtors reject the Orix Lease, or (c) the Orix Lease terminates or is terminated pursuant to its terms.

13. Nothing in this Order shall preclude any right to seek estimation of a claim under section 502(c) of the Bankruptcy Code, any right to seek relief from the automatic stay under section 362 of the Bankruptcy Code to liquidate a claim in a different forum, any right to seek protection of information under section 107(b) of the Bankruptcy Code or any right not specifically addressed in this Order.

14. This Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this order.

15. The requirement under Rule 9013-1(b) of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Southern District of New York for the service and filing of a separate memorandum of law is deemed satisfied by the Motion.

Dated: New York, New York  
December 6, 2006

/s/Robert D. Drain

UNITED STATES BANKRUPTCY JUDGE

PLEASE TAKE FURTHER NOTICE THAT a copy of the Order, excluding exhibits, is attached hereto.

PLEASE TAKE FURTHER NOTICE that the proof of claim listed below, which you filed against Delphi Corporation and/or other of its subsidiaries and affiliates that are debtors and debtors-in-possession in the above-captioned cases (collectively, the "Debtors"), was the subject of the Order and was listed on Exhibit \_\_ to the Order and was accordingly disallowed and expunged, unless otherwise provided below in the column entitled "Treatment Of Claim."

Date Filed	Claim Number	Asserted Claim Amount <sup>1</sup>	Basis For Objection	Treatment Of Claim	Surviving Claim Number (if any)

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<sup>1</sup> Asserted Claim Amounts listed as \$0.00 generally reflect that the claim amount asserted is unliquidated.

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- and -

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Attorneys for Delphi Corporation, et al.,  
Debtors and Debtors-in-Possession

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Toll Free: (800) 718-5305  
International: (248) 813-2698

Delphi Legal Information Website:  
<http://www.delphidocket.com>

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	x	
	:	
In re	:	Chapter 11
	:	
DELPHI CORPORATION, <u>et al.</u> ,	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
-----	x	

NOTICE OF HEARING WITH RESPECT TO  
DEBTORS' OBJECTION TO PROOF OF CLAIM NO. [ ]

PLEASE TAKE NOTICE that on \_\_\_\_\_, 200\_, Delphi Corporation and certain  
of its subsidiaries and affiliates, debtors and debtors-in-possession in the above-captioned cases

PLEASE TAKE FURTHER NOTICE that the Debtors may further adjourn the  
Hearing at any time at least five business days prior to the scheduled hearing upon notice to the  
Court and the Claimant.

Dated: New York, New York  
\_\_\_\_\_, 200\_

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

By: \_\_\_\_\_  
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Four Times Square  
New York, New York 10036  
(212) 735-3000

Attorneys for Delphi Corporation, et al.,  
Debtors and Debtors-in-Possession

(collectively, the "Debtors"), objected to proof of claim number \_\_\_\_\_ (the "Proof of Claim") filed by \_\_\_\_\_ (the "Claimant") pursuant to the [Title Of Applicable Omnibus Claims Objection] (the "Objection").

PLEASE TAKE FURTHER NOTICE that pursuant to the Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (i) Dates For Hearings Regarding Objections To Claims And (ii) Certain Notices And Procedures Governing Objections To Claims, entered December \_\_, 2006 (the "Order"), a claims objection hearing (the "Claims Objection Hearing") for purposes of holding an evidentiary hearing on the merits of the Proof of Claim is hereby scheduled for \_\_\_\_\_, 200\_, at 10:00 a.m. (prevailing Eastern time) in the United States Bankruptcy Court for the Southern District of New York (the "Court").

PLEASE TAKE FURTHER NOTICE that the Claims Objection Hearing will proceed in accordance with the procedures provided in the Order, unless such procedures are modified in accordance with Paragraph 9(k) thereof. Please review the Order carefully – failure to comply with the procedures provided in the Order (or as modified pursuant to Paragraph 9(k)) could result in the disallowance and expungement of the Proof of Claim. A copy of the Order is attached hereto for your convenience.

EXHIBIT D

LIST OF MEDIATORS

Lawrence Abramczyk  
Marc Abrams  
Ronald Barliant  
Michael Baum  
Morton Collins  
Susan Cook  
Samuel Damren  
Eugene Driker  
Jonathan Flaxer  
Rozanne Giunta  
Erwin Katz  
Edward Moran  
Alan Nisselson  
Thomas Plunkett  
Marty Reisig

(collectively, the "Debtors"), objected to proof of claim number \_\_\_\_\_ (the "Proof of Claim") filed by \_\_\_\_\_ (the "Claimant") pursuant to the [Title Of Applicable Omnibus Claims Objection] (the "Objection").

PLEASE TAKE FURTHER NOTICE that on \_\_\_\_\_, 200\_, the Claimant filed its response to the objection, wherein Claimant (i) acknowledged that the Proof of Claim asserts claims that are contingent or fully or partially unliquidated and (ii) stated that the Claimant believes that the allowable amount of the Proof of Claim upon liquidation of the Contested Claim or occurrence of the contingency, as appropriate, is \$ \_\_\_\_\_ (the "Claimant's Asserted Estimated Amount").

PLEASE TAKE FURTHER NOTICE that pursuant to the Order Pursuant To 11 U.S.C. § 502(b) And Fed. R. Bankr. P. 2002(m), 3007, 7016, 7026, 9006, 9007, And 9014 Establishing (i) Dates For Hearings Regarding Objections To Claims And (ii) Certain Notices And Procedures Governing Objections To Claims, entered December \_\_, 2006 (the "Order"), the Debtors hereby provide notice that the Debtors elect to accept the Claimant's Asserted Estimated Amount as the estimated amount of the Proof of Claim pursuant to section 502(c) of the Bankruptcy Code as set forth in the Objection. A copy of the Order is attached hereto.

PLEASE TAKE FURTHER NOTICE that any hearing scheduled pursuant to the Order is hereby cancelled.